
RECOMMENDATIONS FOR THE CALIFORNIA COUNCIL FOR INTERIOR DESIGN CERTIFICATION

NOTE: There will not be any recommendations from the Department of Consumer Affairs (DCA) because the California Council for Interior Design Certification (CCIDC) is a private, nonprofit organization and the Department has no authority or jurisdiction over them.

JOINT COMMITTEE STAFF RECOMMENDATIONS

ISSUE #1. (CONTINUE THE VOLUNTARY CERTIFICATION SYSTEM?) Should the certified interior designer law be continued?

Recommendation #1: *The certified interior designer law should be continued. Additionally, CCIDC should report back to the JLSRC by September 1, 2002, on the following: (1) outreach efforts (schools, law enforcement, architects, building officials, public); (2) examinations (availability of the CCRE and status of occupational analyses); (3) finances (how have they spent their money since their last review); (4) interactions with CLCID (have they made efforts to separate themselves from CLCID); (5) and, materials and information (have they effectively ensured that their materials and webpage adequately reflect their purpose).*

Comments: The certified interior designer law can provide a legitimate alternative to licensing interior designers in California.

ISSUE #2. (MODIFY THE DEFINITION OF INTERIOR DESIGN ORGANIZATION?) Should Section 5800(b) of the Business and Professions Code be amended to more accurately define the type of interior design organization that certifies interior designers in California?

Recommendation #2: *Section 5800(b) of the Business and Professions Code should be amended to more clearly define “interior design organization.” In particular, the amendment should strike the word “professional” and require the nonprofit organization to be a 501(c)(3).*

Comments: Business and Professions Code section 5800(b) defines “interior design organization” as a nonprofit professional organization of certified interior designers whose governing Board shall include representatives of the public. CCIDC is a private, 501(c)(6), not for profit, mutual benefit corporation. It was established with the intent of being the organization responsible for determining whether interior designers met the education, experience and examination requirements.

The last time CCIDC was reviewed by the JLSRC, there was concern about whether they were acting more as a membership association pursuing legislative advocacy rather than a state sanctioned certifying body for interior designers. The former executive director of CCIDC indicated that CCIDC was not created as a professional trade organization/association and that CCIDC was created solely to

establish and enforce a recognized standard of competence, ethics and professionalism. In their current report, CCIDC states that they have followed state law and have patterned themselves after other State professional boards in their dealings with the interior design public and the general public.

However, during the 1999-00 Legislative Session, CCIDC co-sponsored AB 1096 (Romero) with the California Legislative Conference on Interior Design (CLCID). AB 1096, which was vetoed by the Governor, would have created a state regulatory Board of Interior Design and established a state regulatory program with respect to interior designers.

ISSUE #3. (PROVIDE FOR A TITLE ACT FOR CERTIFIED INTERIOR DESIGNERS?) Should the title “certified interior designer” be protected?

Recommendation #3: *The Certified Interior Designer law (B&P Sec. 5800 – 5810) should be amended to provide for a title act for certified interior designers.*

Comments: Business and Professions Code Section 5800 et seq., provides for a mechanism whereby individuals who submit evidence of experience or education and passage of an examination are issued a stamp by an interior design organization. However, while Business and Professions Code Section 5804 makes it an unfair business practice for any person to refer to themselves as *state certified*, the law does not protect the term *certified interior designer*.

ISSUE #4. (EXPAND CCIDC AUTHORITY?) Should the limited disciplinary powers of CCIDC be expanded to include the authority to deny, suspend or revoke certification?

Recommendation #4: *CCIDC should work with the JLSRC to determine what if any authority CCIDC should be given to deny, suspend or revoke a certificate.*

Comments: Since CCIDC has been recognized by the state as an entity authorized to administer voluntary certification, it seems that the authority to deny or revoke certification for failure to meet the defined eligibility requirements and qualification standards would be appropriate, provided due process is afforded. In comparison, Business and Professions Code Sections 475 - 499 provide guidance to DCA Boards relative to grounds for denial, suspension and revocation, including a due process procedure. Some of the listed acts which a Board can take into consideration include (1) knowingly making a false statement of material fact in the application for a license; (2) conviction of a crime; and, (3) commission of any act involving dishonesty, fraud or deceit. Additionally, the law requires Boards to develop criteria to evaluate the rehabilitation of a person when considering the denial, suspension or revocation of a license.

ISSUE #5. (MONITOR THE RELATIONSHIP BETWEEN CCIDC AND CLCID?) Is CLCID involved in CCIDC operations?

Recommendation #5: *The JLSRC should continue to monitor the relationship between CCIDC and CLCID to ensure it is appropriate.*

Comments: CLCID is a coalition organization representing over 5,000 interior designers in the state of California. CLCID is composed of representatives from each of the chapters of the professional organizations in the state, as well as independent representatives from Northern and Southern California.

In CCIDC's 1995 report to the JLSRC, they stated that after SB 153 (Craven) (Chapter 396, Statutes of 1990) took effect, CLCID ("the initial interior design organization") appointed a multidisciplinary task force of interior designers to plan implementation of voluntary certification. The result of their efforts was to establish CCIDC. CCIDC's 1995 report also indicated that CCIDC and CLCID had developed a certification process. Applicants would submit an application form along with all required supporting documents to CCIDC. CCIDC staff would perform an initial review to ascertain completeness. The Compliance Committee of the CCIDC Board of Directors would then evaluate each applicant's qualifications to determine eligibility and make a recommendation to the CCIDC Board. The CCIDC Board then forwarded the list of applicants who met all standards for certification to CLCID for ratification. According to CCIDC, this two-step process was developed pursuant to an administrative service agreement between CCIDC and CLCID to ensure the impartiality of certification. Upon ratification by CLCID, the applicant would receive notification of their eligibility for certification.

ISSUE #6. (PROVIDE AN OCCUPATIONAL ANALYSIS OF EACH EXAMINATION RECOGNIZED BY CCIDC?) The legitimacy and relevance of the examinations accepted by CCIDC is unclear.

Recommendation #6: The examinations recognized and required by CCIDC should be subject to an occupational analysis schedule similar to that required of DCA Boards and Bureau under Business and Professions Code Section 139.

Comments: CCIDC currently recognizes three examinations as satisfying the examination requirement. Those examinations are offered by: (1) the National Council for Interior Design Qualification (NCIDQ); (2) the Council for Qualification of Residential Designers (CQRID); and, (3) the National Kitchen and Bath Association (NKBA). Additionally, CCIDC requires applicants to successfully pass a California Codes and Regulations Exam (CCRE). The CCRE was developed in 1994 and was recently updated.

CCIDC's report indicates that the entire six-part NCIDQ examination has been redeveloped and reconstituted in FY 2000 by NCIDQ into a three-part examination. The redevelopment of the NCIDQ examination was conducted under the direction of a national testing company and their senior psychometrician. The content of the NCIDQ examination is based on a job analysis of the interior design profession (updated in 1999) and focuses on areas related to the health, safety and welfare of the public.

CCIDC's report states that a formal job analysis was done by the University of North Carolina (UNC) for the interior design field in 1991. UNC recommended the development of an examination related specifically to residential interior designers. Professional Exam Services of New York oversaw the development of the CQRID examination. CCIDC's report states that in both Wisconsin and California, psychometric reviews have validated the CQRID examination. If challenged it will stand up in a court of law. The CQRID examination is currently administered by the Center for

Credentialing and Education in Greensborough, North Carolina. The proctors are paid and are independent of the interior design industry.

The NKBA certification examination format was modified in 1997 to its current format. CCIDC's report states that this new examination had been proven psychometrically sound by Columbia Assessment Services, Inc. and has been demonstrated to be valid and defensible. While the certification examination has been in existence since 1968, results prior to 1997 have not been included in this report since the material, testing format, and scoring process had not been psychometrically evaluated.

ISSUE #7. (REQUIRE AUDIT OF CCIDC's BUDGET?) Should there be a review of CCIDC's income and expenditures?

Recommendation #7: CCIDC should have an independent audit of their revenues and expenditures and provide the audit results to the JLSRC within a reasonable time.

Comments: During CCIDC's prior review, the JLSRC expressed concern over CCIDC's high fund balance. At the time, CCIDC had \$550,000 in excess revenues. The JLSRC pointed out that while its yearly budget started out as approximately \$208,000 it had grown to over \$471,000 by 1995. It appeared that most of the cost was for salaries and use of consultants (accountants, attorneys, lobbyists, public relations and others). The JLSRC pointed out that the fund balance for 1994, and up to 1996, would still exceed one year's budget expenditures.

The Legislature has made a concerted effort over the past two years to lower the reserves (excess revenues) of its consumer-related boards, and provide when possible a proportionate decrease in the amount of fees paid by licensees. Three to six-months of reserves have been considered as financially prudent, and the Legislature has warned boards to make the appropriate reductions in fees.

CCIDC's main source of revenues is the \$200.00 renewal fee, which is assessed every two years. CCIDC has maintained this fee since its inception 8 years ago, as it had acquired a large reserve from the initial application fee (\$150.00) from almost 6,000 interior designers wanting to become certified. CCIDC states that over the past 5 years, this reserve has been used to supplement CCIDC's income to enable it to create consumer awareness brochures, its web site, and many other programs, plus dealing with the sunset legislation from 1995.

CCIDC has set the current year reserve levels at 6 months using a figure of \$19,000.00 per month for expenditures. Based on this number and the projected income for the next 3 years, CCIDC does not foresee a deficit.

ISSUE #12. (REQUIRE CCIDC TO CLEARLY POST INFORMATION ON THE "INACTIVE STATUS" OPTION ON THEIR WEBPAGE AND MATERIALS?) It is unclear what efforts CCIDC makes to ensure that CIDs are aware that CCIDC offers an inactive status option.

Recommendation #12: CCIDC should clearly post the inactive status information on their webpage, application materials and anywhere else they deem appropriate and applicable.

Comments: The cost for “inactive” status is \$25.00 per year in accordance with CCIDC’s Rules and Regulations. An inactive person is not allowed to use a stamp, an I.D. card stating they are certified or the appellation “CID” after their name. They can reactivate their certification at any time by paying the full biennial fee (\$200.00) and they will receive a new stamp and I.D. card. Inactive CID’s continue to receive newsletters and other communications from CCIDC. There are currently 132 inactive CIDs.

ISSUE #13. (SHOULD CCIDC CONTINUE WORKING WITH THE JLSRC TO ENSURE THE ACCURACY OF THE INFORMATION THEY PROVIDE?) It is unclear whether some of the information provided on CCIDC’s website and in CCIDC brochures accurately portrays the role of CCIDC and the state relative to CIDs.

Recommendation #13: *CCIDC should continue working with the JLSRC to ensure the accuracy of the information they provide in their written materials and on their webpage.*

Comments: Information posted on CCIDC’s website could mislead the public. Although CCIDC has made great strides toward “cleaning up” the content, more should be done to ensure that consumers, as well as interior designers, are not confused about the role of the state and CCIDC.